



## Legislation Details (With Text)

<b>File #:</b>	19-337	<b>Version:</b>	1	<b>Name:</b>	Resolution No. 19-14 Condemnation of Molalla Avenue Streetscape Property
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Consent Agenda
<b>File created:</b>	5/24/2019	<b>In control:</b>		<b>In control:</b>	City Commission
<b>On agenda:</b>	6/5/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Resolution No. 19-14, Authorizing Acquisition of Property and Property Interests Through Eminent Domain Related to the Construction of the Molalla Avenue Streetscape Project				
<b>Sponsors:</b>	John Lewis				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report, 2. Resolution No. 19-14, 3. Exhibit 1 Property Acquisition Maps, 4. Exhibit 2 Property Acquisition Summary, 5. Exhibit 3 Susnjara Property, 6. Exhibit 4 Susnjara Property, 7. Exhibit 5 SMB Holdings, LLC Property, 8. Exhibit 6 Holland Property, 9. Exhibit 7 Amato Property, 10. Exhibit 8 Fox Property, 11. Exhibit 9 SOJ Property, 12. Exhibit 10 FMK Property, 13. Exhibit 11 Citizens Bank Property, 14. Exhibit 12 Hefenider Property, 15. Exhibit 13 Loftesness Property, 16. Exhibit 14 Luu Quyen Do Property, 17. Exhibit 15 Crone Property, 18. Exhibit 16 Tadrous Property, 19. Exhibit 17 Rupae Property				

Date	Ver.	Action By	Action	Result
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Resolution No. 19-14, Authorizing Acquisition of Property and Property Interests Through Eminent Domain Related to the Construction of the Molalla Avenue Streetscape Project

### RECOMMENDED ACTION (Motion):

Staff recommends the approval of Resolution No. 19-14, authorizing acquisition of property and property interests through eminent domain related to the construction of the Molalla Avenue Streetscape Project (CI 18-004).

### BACKGROUND:

Oregon state law (ORS 35.235) mandates that parties authorized by law to acquire property through condemnation must first adopt a resolution stating the necessity and the purpose for which the property is required.

Molalla Avenue from Beavercreek Road to Oregon Highway 213 in Oregon City is a key corridor for motorists, transit users, pedestrians, and bicyclists. The corridor connects Oregon City's Downtown and Regional Center with Clackamas Community College and the Clackamas County Red Soils Campus, and connects residential areas on the west side to commercial areas on the north and east sides.

With some of the highest population and employment densities in Oregon City adjacent to the Molalla Avenue corridor, this project will consist of constructing roadway improvements mostly on the west side of Molalla Avenue to make the corridor safer for people biking, walking, and taking transit. The project will also include critical new and replacement waterlines within the corridor in order to minimize future impacts to the roadway.

**Biking, Walking, and Transit Improvements:**

- New pavement on Molalla Avenue.
- New 10-foot wide sidewalks on the west side of Molalla Avenue.
- New streetscape amenities such as trash receptacles and benches, and upgraded TriMet bus stop amenities including relocating some stops to more convenient and safer locations.
- Addition of a continuous bike lane to fill in the areas where there are gaps on the east and west sides of Molalla Avenue.
- Relocation of utility poles that currently impact safe use of the sidewalk.
- Driveway sizing and locations will be designed to maximize safety for people biking and walking, creating safer crossings.

**Streetscape and Utility Improvements:**

- New decorative street lights and trees along the entire west side of the corridor.
- Installation of a new 18" transmission waterline along the entire corridor and a new 8" distribution waterline at the north end of the project area to replace an aging distribution line.
- Stormwater system improvements.

In order to construct the Molalla Avenue Streetscape Project, the City needs to acquire approximately 5,031 square feet (SF) of right-of-way, approximately 20,152 SF of Permanent Slope and Public Utility Easements, and approximately 5,380 SF of Temporary Construction Easements from a total of 15 properties. All property interests are shown in Exhibit 1: Project Acquisition Maps; Exhibit 2: Property Acquisition Summary; and legally described in Exhibits 3 through 17 to Resolution No. 19-14. As noted above, these legal descriptions are believed to involve the least amount of property necessary for the construction of the project. Although these legal descriptions are considered to be reasonably accurate at this stage of design, modifications may need to occur depending on final design details and site conditions. The City Engineer will verify and approve the final legal descriptions for all areas to be taken through Eminent Domain.

Each property that is included in the attached Exhibit 2: Property Acquisition Summary has been sent a letter by the City that notifies them that the Project will require property and property interest acquisition from them. Additionally, the letter provided them notice that the City Commission would be being asked to authorize the acquisition of property and property interests for their property on June 5, 2019. Once we are authorized to acquire the property, the property owner will be contacted to begin the formal acquisition process, and information on the process will be shared with them at that time.

**BUDGET IMPACT:**

Amount:	To Be Determined
FY(s):	2019-2020
Funding Source:	Transportation System Development Charges